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OFFICE OF PETITIONS

In re Application of	:	
Ching Cheng Chen	:	
Application No. 10/623,820	:	DECISION ON PETITION UNDER
Application Filing Date: July 21, 2003	:	37 CFR 1.137(f)
Attorney Docket No. 270-004IQAMerica		

This is a decision on the petition under 37 CFR 1.137(f), filed August 17, 2005, to revive the instant non-provisional application.

The petition under 37 CFR 1.137(f) is granted.

This application became abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country.

A petition under 37 CFR 1.137(f) must be accompanied by: (1) the reply which is met by the notification of such filing in a foreign country or under a multinational treaty¹; (2) the petition fee as set forth in 37 CFR 1.17(m), and (3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional.

The instant petition is found in compliance with 37 CFR 1.137(f).

Accordingly, the failure to timely notify the Office of a foreign filing within 45 days as provided by 35 U.S.C. § 122(b)(2)(B)(iii) is accepted as having been unintentionally delayed.

Further inquiries regarding this decision may be directed to the undersigned at (571)272-3222.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

¹ The filing of a petition under this section will not relieve applicant of his obligation to reply to any outstanding Office action.